

Last revised 8/1/15

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:
Anthony and Jessica Ryan

Case No.: 15-14131

Judge: Kathryn Ferguson

Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- | | | |
|---|--|--|
| <input type="checkbox"/> Original | <input checked="" type="checkbox"/> Modified/Notice Required | <input checked="" type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required | <input type="checkbox"/> No Discharge Sought |

Date: 8/16/16

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 3,143 per Month to the Chapter 13 Trustee, starting on August 23, 2016 for approximately 42 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☐ Future earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Collins, Vella & Casello, LLC	Attorney fees	\$1,000
Internal Revenue Service	Taxes	\$ 59,199.41

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Bayview	615 Wildwood Road, Allenhurst, NJ	\$2,865		\$ 2,865	\$4437.56

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
NONE							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
NONE			

d. Secured Claims Unaffected by the Plan The following secured claims are unaffected by the Plan:		
e. Secured Claims to be Paid in Full Through the Plan:		
Creditor	Collateral	Total Amount to be Paid Through the Plan
Internal Revenue Service	Tax Lien	49,128.89

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid: <input type="checkbox"/> Not less than \$ _____ to be distributed <i>pro rata</i> <input checked="" type="checkbox"/> Not less than 10 percent <input type="checkbox"/> <i>Pro Rata</i> distribution from any remaining funds			
b. Separately classified unsecured claims shall be treated as follows:			
Creditor	Basis For Separate Classification	Treatment	Amount to be Paid
NONE			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:		
Creditor	Nature of Contract or Lease	Treatment by Debtor
Nissan Motor Acceptance	Auto lease	Assumed

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
NONE							

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
NONE		

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
NONE			

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Secured Claims
- 3) Priority Claims
- 4) Unsecured claims

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 7/20/2015

Explain below **why** the plan is being modified:

Debtor has more income now and does not need to sell his house.

Explain below **how** the plan is being modified:

Removed sale of residence as part of the plan. Payments to creditors adjusted as per claims and remaining balances.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 8/16/16

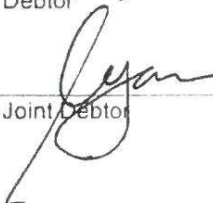

Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 8/16/2016


Debtor

Date: 8/16/2016


Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Anthony Michael Ryan
 Jessica Pacres Ryan
 Debtors

Case No. 15-14131-KCF
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 33

Date Rcvd: Aug 18, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 20, 2016.

db/jdb
 r
 515374450 +Anthony Michael Ryan, Jessica Pacres Ryan, 615 Wildwood Road, Allenhurst, NJ 07711-1334
 515374449 Timothy P Siciliano, Gavin Agency, LLC, 506 Main Street, Loch Arbour, NJ 07711
 515374448 Bank Of America, PO Box 15019, Wilmington, DE 19850-5019
 515374451 Bank Of America, PO Box 15019, Wilmington, DE 19886-5019
 515374452 Bank Of America, PO Box 5170, Simi Valley, CA 93062-5170
 515510266 +Best Buy Credit Services, PO Box 790441, St Louis, MO 63179-0441
 515374453 Capital One, P.O. Box 30285, Salt Lake City, UT 84130-0285
 515374454 Capital One, N.A., c/o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701
 515456101 Chase, PO Box 15123, Wilmington, DE 19886-5153
 515638085 +Citibank, P.O. Box 6241, Sioux Falls, SD 57117-6241
 515374457 +Frances Palmer, 820 Natchez Circle, Mt. Pleasant, SC 29464-5423
 515374459 Kohl's, c/o Becket and Lee LLP, POB 3001, Malvern PA 19355-0701
 515393784 Marriott Rewards, PO Box 15123, Wilmington, DE 19850-5123
 515374458 NJ Family Support Services Center, P O Box 5313, Trenton, NJ 08638-0313
 515374458 Nissan - Infiniti LT, POB 660366, Dallas, TX 75266-0366
 515403626 Nissan Motor Acceptance Corporation, Bankruptcy Department, PO Box 660366,
 Dallas, TX 75266-0366
 515374460 +Northland Group Inc., P.O. Box 390846, Minneapolis, MN 55439-0846
 515374462 +Pay Pal Credit Services, 2211 North First Street, San Jose, CA 95131-2021
 515374462 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State Of New Jersey, Division Of Taxation, PO Box 245,
 Trenton, NJ 08695-0245)
 515594589 +THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YO, Bank of America, N.A.,
 Attn: Bankruptcy Department, P.O. Box 5170, Simi Valley, CA 93062-5170
 515374464 USAA Master Card, PO Box 65020, San Antonio, TX 78265-5020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Aug 18 2016 22:29:27 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Aug 18 2016 22:29:24 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516128476 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Aug 18 2016 22:29:48
 BAYVIEW LOAN SERVICING, LLC, 4425 PONCE DE LEON BLVD, 5TH FLOOR,
 CORAL GABLES, FLORIDA 33146, BAYVIEW LOAN SERVICING, LLC,
 4425 PONCE DE LEON BLVD, 5TH FLOOR, CORAL GABLES, FLORIDA 33146-1837
 516128475 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Aug 18 2016 22:29:48
 BAYVIEW LOAN SERVICING, LLC, 4425 PONCE DE LEON BLVD, 5TH FLOOR,
 CORAL GABLES, FLORIDA 33146-1837
 515374455 E-mail/Text: cio.bncmail@irs.gov Aug 18 2016 22:29:05 Internal Revenue Service,
 PO Box 7346, Philadelphia, PA 19101-7346
 515374456 E-mail/Text: bnckohlsnotices@becket-lee.com Aug 18 2016 22:28:55 Kohls, P.O. Box 3043,
 Milwaukee, WI 53201-3043
 515374461 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 18 2016 22:25:09
 Portfolio Recovery, 120 Corporate Blvd, STE 100, Norfolk, VA 23502-4962
 515610661 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 18 2016 22:25:32
 Portfolio Recovery Associates, LLC, c/o Capital One, POB 41067, Norfolk VA 23541
 515610735 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 18 2016 22:24:47
 Portfolio Recovery Associates, LLC c/o Best Buy, POB 41067, Norfolk VA 23541-1067
 515670281 E-mail/PDF: gecsedirecoverycorp.com Aug 18 2016 22:25:27 Synchrony Bank,
 c/o of Recovery Management Systems Corp, 25 S.E. 2nd Avenue, Suite 1120,
 Miami, FL 33131-1605
 515432442 +E-mail/Text: bncmail@w-legal.com Aug 18 2016 22:29:31 USAA FEDERAL SAVINGS BANK,
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 515374463 +E-mail/Text: bnc@alltran.com Aug 18 2016 22:28:46 United Recovery Systems,
 5800 North Course Drive, Houston, TX 77072-1613

TOTAL: 12

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

515374447 ##+Allied Interstate, P.O. Box 4000, Warrenton, VA 20188-4000

TOTALS: 0, * 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 33

Date Rcvd: Aug 18, 2016

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 20, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 16, 2016 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
Joseph Casello on behalf of Debtor Anthony Michael Ryan jcasello@cvclaw.net,
jcasello627@gmail.com
Joseph Casello on behalf of Joint Debtor Jessica Pacres Ryan jcasello@cvclaw.net,
jcasello627@gmail.com
Joshua I. Goldman on behalf of Creditor THE BANK OF NEW YORK MELLON, Et Al...
jgoldman@kmlawgroup.com, bkgroup@kmlawgroup.com

TOTAL: 5